

No 9060-I Lab-70/30753.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Metal Box Company of India Ltd., Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
FARIDABAD

Reference No. 137 of 1970

between

SHRI RAM ADHAR WORKMAN AND THE MANAGEMENT OF M/S METAL BOX COMPANY OF
INDIA LTD., FARIDABAD

Present.—

Shri Ram Adhar workman with Shri Ashok Kumar.

Shri Jagdip Singh, Personnel Officer, for the management.

AWARD

Shri Ram Adhar was in the employment of M/s Metal Box Company of India Ltd., Faridabad. His services were terminated by the management. This gave rise to an industrial dispute between the parties. The Governor of Haryana had been pleased to refer the dispute for adjudication to the Labour Court, Faridabad, presided over by Shri P. N. Thukral under clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, — vide order No. ID/16/107M-66/3790, dated 13th February, 1968. The matter in issue being as given below :—

“Whether the termination of services of Shri Ram Adhar was justified and in order? If not, to what relief is he entitled?”

While this reference was still pending adjudication the appointment of Shri P. N. Thukral as Presiding Officer of the Labour Court was held to be invalid, vide judgement dated 2nd September, 1969 the High Court for the States of Punjab and Haryana in an other case of M/s Gedore Tools (I) Ltd., of Faridabad. The Governor of Haryana has been further pleased to refer the above dispute to this Court by a fresh Notification No. 6091-E-Lab-70/22387, dated 31st July, 1970. The file containing the original order of reference has also been received and the case has been registered afresh.

Notice was given to the parties and they have appeared. Shri Ram Adhar workman is present alongwith his duly authorised representative Shri Ashok Kumar and Shri Jagdip Singh, Personnel Officer is present for the management. It has been stated on both sides that a settlement has been arrived at between the parties. Shri Ram Adhar workman has been paid Rs 3,500 as per memorandum of settlement dated 18th September, 1970 in full and final settlement of his claim and he has given up his right of reinstatement or re-employment with the management. Statements of the parties have been recorded.

In view of the above, no further investigation is called for in the case. The workman having received Rs 3,500 in full and final settlement of his claim and having further given up his right of reinstatement or re-employed with the management concerned, he is not entitled to any further relief in the case. In the circumstances, the order of the termination of his services can not be said to be unjustified and on the basis of the settlement arrived at between the workman and the management, there is now no dispute between the parties and I give my award accordingly.

There will be no order as to costs.

Dated the 24th September, 1970

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 643, dated Faridabad, the 5th October, 1970.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Faridabad.